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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

VICTOR TORRES-MEJIA,

Petitioner,

vs.

JERRY HOWELL, *et al.*,

Respondent.

Case No. 2:18-cv-00681-RFB-VCF

**RESPONDENTS' MOTION FOR
ENLARGEMENT OF TIME TO RESPOND
TO PETITION FOR WRIT OF HABEAS
CORPUS (FOURTH REQUEST)**

Respondents, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Gerri Lynn Hardcastle, Deputy Attorney General, move this Court for a two- (2) week enlargement of time, or up to and including Friday, October 23, 2020, to file and serve their response to the petition for writ of habeas corpus of Petitioner, Victor Torrez-Mejia (Torrez-Mejia).

This motion is based on the provisions of Rule 6(b) of the Federal Rules of Civil Procedure and the attached Declaration of Counsel, as well as all other pleadings and materials on file herein.

This is Respondents' fourth request for an enlargement of time to respond to Torrez-Mejia's petition. Respondents make this motion in good faith and not for the purpose of unnecessary delay.

RESPECTFULLY SUBMITTED this 9th day of October, 2020.

AARON D. FORD
Attorney General

By: /s/ Gerri Lynn Hardcastle
GERRI LYNN HARDCASTLE (Bar No. 13142)
Deputy Attorney General

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DECLARATION OF COUNSEL

I, Gerri Lynn Hardcastle, hereby state, based on personal knowledge and/or information and belief, that the assertions in this declaration are true:

1. I am a Deputy Attorney General of the Post-Conviction Division of the Nevada Attorney General's Office, and I make this declaration in support of Respondents' motion for enlargement of time to respond to Torrez-Mejia's second amended petition for writ of habeas corpus (fourth request).

2. By this motion, I am requesting a two- (2-) week enlargement of time, or up to and including Friday, October 23, 2020, to respond to Torrez-Mejia's petition.

3. When I requested a one- (1-) week enlargement of time on October 2, 2020 (ECF No. 33), I was overly-optimistic in the amount of time I would need to complete this task and others. Consequently, I am unable to file Respondents' response by the close of business today, as I thought I would. I am requesting two (2) additional weeks to complete the response in an abundance of caution and to prevent any further expenditure of this Court's and opposing counsel's resources with short motions for enlargement of time.

1 4. I contacted Ron Sung, the Assistant Federal Public Defender representing Torrez-Mejia,
2 and he does not oppose this enlargement of time.

3 5. I am moving for this enlargement of time in good faith and not for the purpose of unduly
4 delaying the ultimate disposition of this case.

5 6. Pursuant to 28 U.S.C. § 1746, I hereby certify, under penalty of perjury, that the
6 foregoing is true and correct.

7 EXECUTED this 9th day of October, 2020.

By: /s/ Gerri Lynn Hardcastle
GERRI LYNN HARDCASTLE

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10 IT IS SO ORDERED:

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13 _____
14 RICHARD F. BOULWARE, II
15 UNITED STATES DISTRICT JUDGE

16 DATED this 11th day of October. 2020.
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CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General and that on this 9th day of October, 2020, I served a copy of the foregoing **RESPONDENTS' MOTION FOR ENLARGEMENT OF TIME TO RESPOND TO PETITION FOR WRIT OF HABEAS CORPUS (FOURTH REQUEST)**, by U.S. District Court CM/ECF electronic filing to:

Ron Sung
Assistant Federal Public Defender
744 E. Bonneville Ave. Ste. 250
Las Vegas, Nevada 89101

/s/ Lisa M. Clark